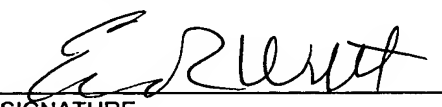


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>1512.2.146</b>
		U.S. APPLICATION NO (If known, see 37 CFR 1.5) <b>10/526,892</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2003/003786</b>	INTERNATIONAL FILING DATE <b>September 1, 2003</b>	PRIORITY DATE CLAIMED <b>September 3, 2002</b>
TITLE OF INVENTION <b>BALL OPERATED BY-PASS TOOL FOR USE IN DRILLSTRING</b>		
APPLICANT(S) FOR DO/EO/US <b>Paul Bernard Lee</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 25 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>Certificate of Mailing</b></li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/526,892</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB2003/003786</b>		ATTORNEY'S DOCKET NUMBER <b>1512.2.146</b>	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee .....\$300				\$	
22. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100 All other situations .....\$200				\$	
23. <input type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100 International Search Report prepared and provided to the Office .....\$400 All other situations .....\$500				\$	
TOTAL OF 21, 22 and d23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 pages or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/ 50 =		X \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		x \$50	\$	
Independent Claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			x \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$65.00	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$65.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$	
TOTAL FEES ENCLOSED =				\$65.00	
12/02/2005 GEREY1 00000101 10526892				Amount to be refunded:	\$
01 FC:2617 65.00 OP				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fee is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-0763</u>. A duplicate of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.</b></p>					
<p>SEND ALL CORRESPONDENCE TO: MADSON &amp; METCALF 15 West South Temple, Suite 900 Salt Lake City, Utah 84101 United States of America Telephone: (801) 537-1700 Facsimile: (801) 537-1799</p>					
				 SIGNATURE	
				Evan R. Witt NAME	
				32,512 REGISTRATION NUMBER	

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

Appl. No. : 10/526,892  
Applicant : Paul Bernard Lee  
Title : BALL OPERATED BY-PASS TOOL FOR USE IN  
DRILLSTRING  
Filed : March 3, 2005  
TC/A.U. : (not yet assigned)  
Examiner : (not yet assigned)  
Docket No. : 1512.2.146  
Customer No. : 21552

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" Mailing Label No.: EO 914 740 117 US

Date of Deposit: November 29, 2005

Dear Sir:

I hereby certify that the following items are being deposited with the United States Postal Service as "Express Mail Post Office Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, Alexandria, VA 22313-1450, on November 29, 2005:

1. Patent Declaration;
2. Credit card form for the amount of \$65.00;
3. Copy of Notification of Missing Requirements; and
4. Transmittal Letter.

Respectfully submitted,



Evan R. Witt  
Reg. No. 32,512  
Attorney for Applicant

Date: November 29, 2005

MADSON & METCALF  
Gateway Tower West  
15 West South Temple, Suite 900  
Salt Lake City, Utah 84101  
Telephone: 801/537-1700

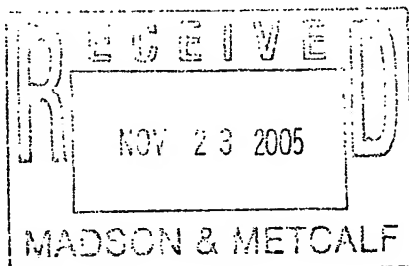


## UNITED STATES PATENT AND TRADEMARK OFFICE

**Rec'd PCT/PTO** 29 NOV 2005 105

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,892	Paul Bernard Lee	1512.2.146

 Madson & Metcalf  
 15 West South Temple  
 Suite 900  
 Salt Lake City, UT 84101


INTERNATIONAL APPLICATION NO.	
PCT/GB03/03786	
I.A. FILING DATE	PRIORITY DATE
09/01/2003	09/03/2002

 CONFIRMATION NO. 7327  
 371 FORMALITIES LETTER


\*OC000000017429190\*

Date Mailed: 11/17/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/03/2005
- Copy of the International Search Report filed on 03/03/2005
- Preliminary Amendments filed on 03/03/2005
- Information Disclosure Statements filed on 04/07/2005
- U.S. Basic National Fees filed on 03/03/2005
- Priority Documents filed on 03/03/2005
- Specification filed on 03/03/2005
- Claims filed on 03/03/2005
- Abstracts filed on 03/03/2005
- Drawings filed on 03/03/2005

The applicant needs to satisfy supplemental fees problems indicated below.

 The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

 DOCKETED  
 By KH ON 11/23/05  
 By ON  
 RESPONSE DUE 11/17/06

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,892	PCT/GB03/03786	1512.2.146

FORM PCT/DO/EO/905 (371 Formalities Notice)